UNITED
NATIONS

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Security Council

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GENERAL

S/1995/560
12 July 1995
ENGLISH
ORIGINAL: ENGLISH AND
FRENCH

France, Germany, Italy, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its earlier relevant resolutions,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Gravely concerned at the deterioration in the situation in and around the safe area of Srebrenica, Republic of Bosnia and Herzegovina, and at the plight of the civilian population there,

Gravely concerned also at the very serious situation which confronts personnel of the United Nations Protection Force (UNPROFOR) and a great number of displaced persons within the safe area at Potocari, especially the lack of essential food supplies and medical care,

Paying tribute to the personnel of UNPROFOR deployed in the safe area of Srebrenica,

Condemning the offensive by the Bosnian Serb forces against the safe area of Srebrenica, and in particular the detention by the Bosnian Serb forces of UNPROFOR personnel,

Condemning also all attacks on UNPROFOR personnel,

Recalling the Agreement for the demilitarization of Srebrenica of 18 April 1993 (S/25700, annex) by the Government of the Republic of Bosnia and Herzegovina and the Bosnian Serb party, and regretting that it has not been implemented in full by either party,

Stressing the importance of renewed efforts to achieve an overall peaceful settlement, and the unacceptability of any attempt to resolve the conflict in the Republic of Bosnia and Herzegovina by military means,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that the Bosnian Serb forces cease their offensive and withdraw from the safe area of Srebrenica immediately;

2. Demands also that the parties respect fully the status of the safe area of Srebrenica in accordance with the Agreement of 18 April 1993;

3. Demands further that the parties respect fully the safety of UNPROFOR personnel and ensure their complete freedom of movement, including resupply;

4. Demands that the Bosnian Serb forces immediately and unconditionally release unharmed all detained UNPROFOR personnel;

5. Demands that all parties allow unimpeded access for the United Nations High Commissioner for Refugees and other international humanitarian agencies to the safe area of Srebrenica in order to alleviate the plight of the civilian population, and in particular that they cooperate on the restoration of utilities;

6. Requests the Secretary-General to use all resources available to him to restore the status as defined by the Agreement of 18 April 1993 of the safe area of Srebrenica in accordance with the mandate of UNPROFOR, and calls on the parties to cooperate to that end;

7. Decides to remain actively seized of the matter.

UNITED
NATIONS

S

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12 July 1995

ORIGINAL: ENGLISH

LETTER DATED 7 JULY 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I wish to bring to your attention, and through you to the attention of the members of the Security Council, a disturbing development in the Old City of Nicosia in Cyprus.

Since 20 June 1995, extensive and large-scale excavations have been carried out by the Turkish Cypriot authorities at a feature known as the Roccas Bastion, which forms part of the walls of the Old City of Nicosia and lies immediately behind the Turkish forces' cease-fire line. It is an area specifically covered by the unmanning agreement of May 1989.

The United Nations Peace-keeping Force in Cyprus (UNFICYP) was informed in advance by the Turkish Cypriot authorities that they intended to build a children's playground on top of the Roccas Bastion. This information was passed on by UNFICYP to the Cyprus National Guard before the work began. However, the work has included the extensive digging of trenches some 3 metres wide and 2 metres deep and this has raised doubts about its real purpose.

UNFICYP immediately expressed its concern to the Turkish and Turkish Cypriot authorities and, as provided for in the 1989 unmanning agreement, requested access to the excavations on a regular basis, as well as a full and detailed briefing on the plans that were being put into effect. Regrettably, both requests have been denied.

The Government of Cyprus has indicated that, if the existing situation is not rectified, it will deem the unmanning agreement to have been breached and will accordingly consider taking countermeasures.

The United Nations has meanwhile continued to express its concern about these developments to the Turkish authorities both in Nicosia and in New York. Similar representations have been made to the Turkish Cypriot authorities. But no progress has been made towards a resolution of the problem.

Members of the Security Council will recall that, in its resolution 1000 (1995) of 23 June 1995, the Council "calls upon the military authorities on both sides to cooperate urgently with UNFICYP to reach agreement on the

extension of the 1989 unmanning agreement to cover all areas of the buffer zone where the two sides are in close proximity to each other". If the present situation is not resolved quickly, it will not only present an obstacle to the implementation of resolution 1000 (1995) but will also put at risk the unmanning agreement of 1989 and the benefits that have flowed from it.

I should accordingly be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

UNITED
NATIONS

S

Security Council

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ORIGINAL: SPANISH

LETTER DATED 11 JULY 1995 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council have considered your letter dated 7 July 1995 addressed to the President of the Council (S/1995/561) concerning the requests by the United Nations Peace-keeping Force in Cyprus (UNFICYP) to the Turkish and Turkish Cypriot authorities regarding UNFICYP access to the excavations currently being undertaken in the old city of Nicosia, Cyprus, and the need for a full and detailed briefing on the plans which have been put into effect.

The members of the Council recall the provisions of Security Council resolution 1000 (1995), of 23 June 1995, in which the Council called upon the military authorities on both sides in Cyprus to cooperate fully with UNFICYP. The members of the Council note that the requests by UNFICYP regarding the excavations in question fall within the terms of the 1989 unmanning agreement, and extend their full support to the efforts being made by the United Nations to secure access without further delay by UNFICYP to inspect the excavations. The members ask you to inform the Council of the outcome of the inspection, once it has taken place.

(Signed) Gerardo MARTINEZ BLANCO
President of the Security Council

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UNITED
NATIONS

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LETTER DATED 12 JULY 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF MOROCCO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a statement adopted on 11 July 1995 by the Organization of the Islamic Conference Contact Group at its meeting on the situation in Bosnia and Herzegovina.

I should be grateful if you would have this statement circulated as a document of the Security Council.

(Signed) El Hassane ZAHID
Chargé d'affaires a.i.

95-20657 (E) 120795 120795 130795

Annex

Statement made on 11 July 1995 by the Contact Group of the Organization of the Islamic Conference

[Original: English]

The Organization of the Islamic Conference Contact Group (OICCG) on Bosnia and Herzegovina held an urgent meeting today in New York on the situation in Srebrenica.

OICCG condemns in the strongest terms possible the Serbian offensive against the United Nations "safe area" of Srebrenica, which is a premeditated action designed to occupy the town and to ethnically cleanse the remaining population of this safe area. These actions constitute an act of terrorism and genocide. Furthermore they represent yet another assault on the will of the international community. This situation is totally unacceptable and must be responded to firmly and decidedly.

OICCG recalls that Srebrenica has been declared a safe area, according to Security Council resolutions 824 (1993) and 836 (1993). Furthermore, by the agreement with the United Nations Protection Force (UNPROFOR), this enclave was demilitarized in 1993.

In this context, OICCG also recalls the relevant paragraphs of the North Atlantic Treaty Organization (NATO) decision of 22 April 1994 on the protection of safe areas, namely, paragraphs 8 and 9.

OICCG demands immediate withdrawal of Serbian forces to the positions before the beginning of this offensive. It calls upon the Security Council and the Secretary-General to take all the necessary measures, including the use of air power, with a view to achieving the withdrawal of Serbian forces, restoration of the safe area status of Srebrenica and guarantees for the safety and security of its civilians.

OICCG also stands ready to offer any other assistance to the population of Bosnia and Herzegovina, including consideration of unilateral lifting of the arms embargo to enable collective self-defence, should the United Nations efforts fail.

OICCG expresses its respect for the valiant efforts of the Netherlands peace-keepers in Srebrenica, as well as its appreciation for all other members of peace-keeping troops within UNPROFOR. It offers its most sincere condolences to the families of those whose lives have been lost in the brave performance of their tasks.

OICCG reaffirms its support for the just struggle of the people of the Republic of Bosnia and Herzegovina to live in freedom and harmony, and stands ready to assist them in this noble endeavour.

UNITED
NATIONS

S

Security Council

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ORIGINAL: ENGLISH

LETTER DATED 12 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF INDIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

1. My delegation is given to understand that the Security Council is discussing a draft resolution pertaining to the role of the Security Council on the question of non-proliferation of weapons of mass destruction. We believe that the process of internal consultations has reached an advanced stage and that the Council will soon hold informal consultations to finalize the text.

2. My delegation has learned of these developments with considerable concern since the issues under consideration in the proposed draft resolution are of vital importance to the entire membership of the United Nations. The issues transcend the question of the implications of the proliferation of weapons of mass destruction and impinge directly upon the role of, and relations between, the principal organs of the United Nations as well as what are the obligations deriving from the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and the Convention on the Prohibition and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and to whom they apply. We are, therefore, particularly concerned that the Security Council is not proceeding in this important matter through an open, transparent and inclusive discussion at a time when the Working Group on equitable representation and increase in the membership of the United Nations is seeking greater transparency in decision-making by the Council.

3. The proposed draft resolution raises a host of questions including the following:

(a) Can the Security Council continue to ignore the overwhelming demand for elimination of nuclear weapons, which has been recognized and repeatedly voiced in the General Assembly;

(b) If indeed the Charter of the United Nations envisaged any role for the Security Council on non-proliferation issues, which is doubtful, why has no action been taken on the proliferation of tens of thousands of nuclear weapons since the United Nations was established?

(c) Article 26 of the Charter of the United Nations only authorizes the Security Council, with the assistance of a Military Staff Committee, to formulate plans for a system of regulation of armaments to be presented to the United Nations Member States, that is, the General Assembly and not to legislate unilaterally on it;

(d) The Biological and Chemical Weapons Conventions aim to eliminate respective categories of weapons of mass destruction entirely. The Non-Proliferation Treaty, on the other hand, seeks to legitimize the possession and production of nuclear weapons by five countries. Would it not be logically inconsistent and legally untenable to equate them?

(e) None of the three treaties mentioned in the draft resolution - the Non-Proliferation Treaty and the Biological and Chemical Weapons Conventions - enjoy universal adherence among the United Nations membership. Since some Member States of the United Nations are not States parties to the treaties and the implementation of those treaties is the sole responsibility of the State parties, on whose behalf will the Security Council "affirm" its support for the provisions of these treaties?

(f) Is the Security Council's concern on matters of proliferation to be limited to horizontal proliferation alone?

(g) Is the continued existence of nuclear weapons or retention of nuclear weapons by the five nuclear-weapon States not considered a proliferation risk that threatens international peace and security?

(h) Can a role for the Secretary-General be envisaged to report to the Council annually on the status of efforts to ensure the prevention of the proliferation of weapons of mass destruction without undermining the role of decision-making authorities provided for in the relevant international treaties and conventions, that is, the Board of Governors of the International Atomic Energy Agency (IAEA) and the Executive Council of the Chemical Weapons Convention? Will the Secretary-General's reports also address specifically and directly the status of non-proliferation in the nuclear-weapon States?

4. It is India's considered view that before the Security Council embarks on any action to formally give itself a "role in the non-proliferation of weapons of mass destruction", all substantive, legal and institutional issues, including the role of specific treaty bodies, must be addressed and resolved through an open and transparent debate among the full membership of the United Nations.

5. In view of the importance of the subject, may I request that the present letter be circulated as a document of the Security Council.

(Signed) Prakash SHAH
Permanent Representative of India

UNITED
NATIONS

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Security Council

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LETTER DATED 11 JULY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 17 March 1995, at 1100 hours, nine Iraqi forces were observed installing barbed wire near the geographical coordinates of NC 548-416 on the map of Sumar, in no man's land, north of Mian-Tangeh Darreh post and west of border pillar 43.

2. On 17 March 1995, at 1145 to 1725 hours, four Iraqi fighting helicopters were observed flying from near the geographical coordinates of ND 385-086 on the map of Khosravi, west of border pillar 54 and south of Iraqi's Amraveh towards the city of Khaneghein.

3. On 17 March 1995, at 1640 hours, nine Iraqi forces were observed constructing a bunker near the geographical coordinates of NC 417-985 on the map of Khosravi, south-west of border pillars 51 and 52, east of Molah-Aziz, and height point 250.

4. On 19 March 1995, four Iraqi Toyota vehicles carrying passengers were observed patrolling for 45 minutes near the geographical coordinates of PB 205-470 on the map of Kouhe-Tunnel, in no man's land, between south-west of border pillar 27/5 and south-east of border pillar 27/6.

5. On 21 March 1995, from 1115 to 1745 hours, seven Iraqi helicopters were observed flying near the geographical coordinates of ND 335-015 on the map of Khosravi. Two helicopters landed near the geographical coordinates of ND 356-030 on the map of Khosravi and left the area at 1510 hours.

6. On 21 March 1995, Iraqi forces fired five tracer bullets by Dooshka machine-guns towards the territory of the Islamic Republic of Iran. The bullets hit the ground near south of border pillar located at the geographical coordinates of TP 228-721 on the map of Khorramshahr.

7. On 22 March 1995, at 1850 hours, four military armed personnel clad in khaki, aboard a khaki-coloured patrol vehicle began taking film from the

positions of the Islamic Republic of Iran for 20 minutes and from an estimated distance of 500 metres at the geographical coordinates of PB 470-702 on the map of South Mehran, in no man's land, south of border pillars 27/13 and 27/14 in front of Abziadi border post 2.

8. On 24 March 1995, a total of 31 Iraqi motor-boats and 2 liners carrying a total of 74 personnel were observed patrolling the Arvand Rud.

9. On 24 March 1995, Iraqi forces began constructing a new base near the geographical coordinates of TQ 160-230 on the map of Hosseinieh, in no man's land, north of border pillar 7/27 and south of border pillar 7/28.

10. On 27 March 1995, Iraqi forces were observed trafficking and installing a wireless antenna pole on the newly built base at the geographical coordinates of TQ 160-220 on the map of Hosseinieh, north of border pillar 7/26 and south of border pillar 7/27.

11. On 27 March 1995, at 2100 hours, a number of Iraqi forces began firing from Ali-Mir Village in no man's land at the geographical coordinates of ND 589-248 on the map of Qasr-e-Shirin towards the Iranian border police who were stationed at the geographical coordinates of ND 590-230 on the map of Qasr-e-Shirin.

12. On 28 March 1995, at 1010 hours, an Iraqi reconnaissance aircraft was observed flying near the geographical coordinates of NC 832-193 on the map of Halaleh, in no man's land, Meimak Heights, Shohada Hill.

13. On 28 March 1995, at 1300 hours, Iraqi forces again set up a dish antenna (which had already been removed by Iraqi forces) near the geographical coordinates of 432-657 on the map of Naftshahr, in no man's land, east of Iraq's Chalaie post, west of the Kaneh-Kaboud border river.

14. On 28 March 1995, 32 Iraqi motor-boats and a liner with a total of 74 personnel were observed patrolling the Arvand Rud.

15. On 29 March 1995, an Iraqi helicopter was observed flying over the area of Khosravi, in Iraqi territory.

16. On 29 March 1995, Iraqi forces deployed a four-barrel anti-aircraft cannon near the geographical coordinates of ND 425-975 on the map of Khosravi, east of Halawan and Bamil in Iraq and south-west of Chirzad and border pillars 51 and 52.

17. On 30 March 1995, Iraqi forces set up a wireless antenna near the geographical coordinates of TP 160-210 on the map of Hosseinieh, in no man's land, north of border pillar 7/25 and south of border pillar 7/26.

18. On 31 March 1995, at 1030 hours, five Iraqi forces were observed constructing five individual bunkers near the geographical coordinates of NC 405-095 on the map of Khosravi, west of Al-Meghdad post in Iraq and south of border pillar 55 and 55/1. They left the area at 1530 hours on the same day.

19. On 31 March 1995, at 1900 hours, 14 patrol vehicles (truck, Toyota, pick-up and patrol) were stationed in a military town located near the geographical coordinates of PB 350004200 on the map of Kouhe-Tunnel, south of border pillar 25/11.

It would be highly appreciated if the present letter could be circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

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LETTER DATED 12 JULY 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As you are aware Turkish forces have twice carried out raids into northern Iraq. The second of these incursions took place only a few days ago. As a pretext for the operation, the Turkish Government claimed that its troops were in pursuit of hostile Kurdish elements. Regrettably, this operation has been supported by great Powers permanent members of the Security Council. On 7 July 1995 a spokesman for the United States Department of State said that the use of United States aircraft and other military equipment by Turkey was justified, and that the United States took the view that the Ankara Government was simply exercising its right to self-defence. It is to be regretted that the Security Council has not lifted a finger in response to this act of aggression, which constitutes a violation of State sovereignty and contravenes every charter and international rule, first and foremost the Charter of the United Nations.

This apathy proves that the United Nations is under the domination of a single Member State which obliges the Security Council to apply a double standard. While the United Nations claims that it is protecting Kurds in Iraq against the Iraqi Government, it closes its eyes to persecution by Turkey of its own Kurds.

This constitutes a serious precedent which will go down in history and should be taken note of by the Security Council.

In informing you, Sir, of the pain and suffering which these events and flagrant violations of international norms and practice cause us, I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

Accept, Sir, etc.

(Signed) Ali Sunni MUNTASSER
Ambassador
Chargé d'affaires a.i.

95-20706 (E) 120795 120795 130795